



**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – A.P.G.L.I Department – Sri A. Nagaratnam @ Nagaraju, Office Superintendent (FAC) (Retd) Office of the Asst. Director, District Insurance Office, Ongole, Prakasam District Trapped on 16-07-2005 – Convicted in C.C.No. 28/2006 by the Court of Special Judge for SPE & ACB Cases, Nellore on 31-01-2011 – Punishment of withholding of the Pension and Gratuity in full permanently under Rule -9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

FINANCE (ADMN-II) DEPARTMENT

G.O.Ms.No. 183

Dated: 27 -08-2011

Read the following:-

1. The Deputy Superintendent of Police, Nellore Range, Nellore, A.P., Swan Message Crime No. 10/RCT-NPK/2005, U/S 7,13(2) R/W 13(1)(D) of P.C. Act.1988, dated 16-7-2005.
2. Proceedings No. 277, dated 19-7-2005 of Director of Insurance, A.P., Hyderabad.
3. Letter C.No. 143/RCT-NPK/2005, dated 27-07-2005 from the Director General, ACB., Hyderabad.
4. Letter Rc. No. 143/RCT-NPK/2005, dated 25-03-2006 from the Director General, ACB., Hyderabad.
5. Lr.No. 91/CS/2005-06, dated 08-06-2006 & 17-06-2007 of the Director of Insurance, A.P., Hyderabad.
6. G.O.Rt.No. 2658 Finance (Admn.II) Department, dated 22-07-2006.
7. G.O.Rt.No. 3269 Finance (Admn.II) Department, dated 31-08-2006.
8. G.O.Rt.No. 3863 Finance (Admn.II) Department, dated 31-10-2006.
9. Memo.No. 3705/309/A2/Admn.II/2005, Finance (Admn.II) Dept., Dated 07-12-2007.
10. Judgment of the Court of Special Judge for ACB Cases Nellore in C.C. No. 28/2006. dated 31-01-2011.
11. Judgment of the Hon'ble A.P.High Court on CrI. A.MP No. 350 of 2011 in Criminal Appeal No. 131 of 2011, dated 08-02-2011.
12. Letter RC.No. 143/RCT-NPK/2005, dated 4-03-2011 & 01-07-2011 from the Director General, ACB., A.P., Hyderabad.
13. Govt. Memo. No. 3705/309/A2/Admn.II/2005 Finance (Admn.II) Dept., Dated 06-07-2011.
14. Director of Insurance, A.P., Hyderabad letter No. 91/CS/2005-06, Dated 09-08-2011.

ORDER:

On the allegations of corruption against Sri A. Nagaratnam, alias Nagaraju, Office Superintendent (FAC) (Retd) Office of the Asst. Director, District Insurance Office, Ongole, Prakasam District was successfully trapped by the ACB on 16-07-2005. On the Preliminary Report of ACB, the individual was kept under suspension vide Director of Insurance, A.P., Hyderabad, Proceeding No. 277, dated 19-07-2005.

2. The Director General, ACB., in his final report in the reference 4th cited, has recommended for departmental action and for issue of sanction of prosecution orders against Sri A. Nagaratnam, Senior Accountant, District Insurance Office, Ongole, Prakasam District .

3. In the reference 5th cited, the Director of Insurance has informed that sanction of prosecution orders and articles of charges were issued against the charged officer. In the references 6th to 8th cited, Government have appointed Inquiring Authority and Presenting Officer to conduct an enquiry against the charges framed against the Accused Officers.

Contd....2nd page

4. In his letter dated 13-10-2006, the Director General, A.C.B., has informed that the charge-sheet was filed in Special Court for ACB cases, Nellore on 27-09-2006 against the accused officer, Sri A. Nagarathnam, Senior Accountant, District Insurance Office, Ongole, Prakasam.

5. The Court of Special Judge for SPE & ACB cases, Nellore pronounced judgment on 31-01-2011 in C.C. No. 28/2006 convicting the accused officer, Sri A. Nagarathnam @ Nagaraju Office Superintendent (FAC) Office of the Asst. Director, District Insurance Office, A.P.G.L.I. Office, Ongole, Prakaam District. The Special Judge sentenced him to undergo (R.I) Rigorous Imprisonment for three years and to pay a fine of Rs. 2,000/- for the offence under section 7 of P.C. Act. And also sentenced him to undergo Rigorous Imprisonment for three years and also to pay a fine of Rs. 2,000/- for the offence under section 13(2) read with 13(1) (d) of the P.C. Act. 1988.

6. In the reference 11th cited above, the Hon'ble A.P.,High Court in his judgment on CrI.A.MP.No. 250 of 2011 in Criminal Appeal No. 131 of 2011 dated 8-2-2011 filed by the applicant wherein ordered that " the operation of sentence of imprisonment imposed against the petitioner by the learned Special Judge for SPE & ACB Cases, Nellore, by judgment, dated 31-1-2011, in C.C.No. 28 of 2006 is hereby suspended and the petitioner shall be enlarged on bail on his executing bond for an amount of Rs. 10,000/- (rupees ten thousand only) with two sureties each of the like sum each to the satisfaction of the learned Special Judge for SPE & ACB Cases, Nellore.

7. According to Rule 8 of A.P. Revised Pension Rules, 1980 where a pensioner convicted of a serious crime by a court of law, the pension sanctioning authority may, by order in writing withhold or withdraw a pension or part thereof, whether permanently or for a specific period by giving notice specifying the proposed action to be taken against him and by calling for his representation.

8. In the reference 13th cited above, Government has issued show cause notice to the Accused Officer. The Accused Officer in his representation dated 01-08-2011 has stated that the department has already conducted a detailed and comprehensive enquiry on the similar charges and found that I was not guilty of charge. Basing on the said report only I was retired and getting pension. The pension is the only source for our livelihood, if this pension is stopped, our entire family will be put to starvation. Further his wife is suffering with paralysis and bed-ridden and his children are unemployed and not settled in their lives. Finally, he requested the Government to stop the proposal for punishment until the CrI.A.MP.No. 350 of 2011 in Criminal Appeal No. 131 of 2011.is finalized.

9. Government after careful examination of the matter, hereby order to impose the punishment of withholding the Pension and Gratuity in full permanently according to the orders issued in G.O.Ms.No. 2 General Administration (Ser.C) Department, dated 4-1-1999 read with Rule 9 of A.P. Revised Pension Rules, 1980 for his conviction in C.C. No. 28/2006 by the Court of Special Judge for SPE & ACB cases Nellore by the Judgment dated 31-01-2011.

10. The Director of Insurance, A.P., Hyderabad is directed to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RANJEEV R. ACHARYA
PRINCIPAL SECRETARY TO GOVT. (FP)

To
Sri A. Nagarathnam, Sr. Accounant (Retd),
O/o the Joint Director of Insurance,
District Insurance Office, Guntur, (through the Director of Insurance, A.P., Hyderabad)
The Director of Insurance, A.P., Hyderabad.

:: 3rd page ::

Copy to:

The District Insurance Office, A.P.G.L.I., Guntur.

The Director General, ACB., A.P., Hyderabad.

The Secretary, A.P. Vigilance Commission, A.P., Secretariat, Hyderabad.

The Accountant General, A.P., Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad

The District Treasury Office, Guntur.

SF/Scs.

// FORWARDED:: BY ORDER //

SECTION OFFICER